

April 24, 2013

**MINUTES OF A REGULAR MEETING OF
THE TORRANCE WATER COMMISSION**

1. CALL TO ORDER

The Torrance Water Commission convened in a regular session at 7:00 p.m. on Wednesday, April 24, 2013 in the West Annex Meeting Room at Torrance City Hall.

2. ROLL CALL:

Present: Commissioners Haddon, Marshall, McGee,
Nishinaga, See, and Chairperson Lefevre.

Absent: Commissioner McCabe.

Also Present: Deputy Public Works Director van der Linden,
Senior Administrative Analyst Schaich,
Senior Water Service Supervisor Berndt, and
Metropolitan Water District Director Wright.

3. FLAG SALUTE

Commissioner Nishinaga led the Pledge of Allegiance.

4. AFFIDAVIT OF POSTING

MOTION: Commissioner McGee moved to accept and file the report of the City Clerk on the posting of the agenda for this meeting. Commissioner Nishinaga seconded the motion; a voice vote reflected unanimous approval.

5. APPROVAL OF MINUTES

5A. MINUTES OF MARCH 27, 2013

MOTION: Commissioner Haddon moved to approve the March 27, 2013 Water Commission meeting minutes as presented. Commissioner See seconded the motion; a voice vote reflected unanimous approval (absent Commissioner McCabe).

6. ORAL COMMUNICATIONS FROM PUBLIC

Commissioners and staff welcomed guest Jim McGee.

7. OLD BUSINESS - None.

8. NEW BUSINESS

8A. REVIEW AND CONSIDERATION OF STAFF RECOMMENDATION FOR CONCEPTUAL APPROVAL OF PROPOSED NEW BACKFLOW ORDINANCE

Senior Supervisor Berndt provided a PowerPoint presentation regarding "Proposed New Cross Connection—Backflow Ordinance." He reviewed reasons why backflow protection is necessary as well as causes of a backflow condition that include cross connection, backsiphonage, and backpressure. He stated that a backflow device is any device that has been approved by University of Southern California to prevent backflow or backflow siphonage into the public drinking water supply. He showed a photograph of a backflow device and explained how the two independent check valves work. He noted that the State mandates that backflow devices be tested annually for compliance, pointing out that there are over 540 devices in the City, 100 of which are City owned.

Deputy Public Works Director van der Linden provided clarification that Torrance Municipal Water (TMW) is responsible for public backflow devices that are on the upstream side of water meters that protect the entire municipal water system. He explained that Los Angeles County Health Department has jurisdiction over on-site private property cross-connections that could introduce contaminants into internal on-site potable water pipelines.

Senior Supervisor Berndt stated that the City has a Cross-Connection Ordinance, last revised 25 years ago, that allows the City to inspect backflow devices in private industries to ensure that there are no cross-connections between the municipal water system and any potential connection of a safe, potable water supply to another water supply that is either of unknown or contaminated quality. He presented major features of a revised draft Ordinance that includes providing authority for enforcement by allowing the Public Works Director to make amendments as conditions warrant without having to go back to City Council. He stated that it also defines specific Backflow and Cross Connection Regulations and Requirements and the establishment of fees for non-responsiveness to initial notification.

Responding to Commissioner McGee's inquiry, Senior Supervisor Berndt indicated that TMW would establish the fees for noncompliance but that the Finance Department would be responsible for implementing them. He noted that the purpose of the fees, approximately \$548, were to provide motivation and cover labor costs, not to generate revenue. He advised that the fee structure for noncompliance would be locked in until changed by City Council.

Commissioner Marshall expressed an interest in seeing the original Ordinance with strikeouts to better understand changes that are being proposed; staff offered to provide the changes at the next Commission meeting. In response to his inquiry, staff explained that the potential for degree of hazard in home irrigation systems is minimal compared to the commercial sector.

Senior Supervisor Berndt provided program oversight that includes day to day program implementation performed by a water quality specialist, keep abreast of changes in State regulations and approved backflow prevention devices, maintain defensible and detailed records, and continuous monitoring to identify and rectify cross-connections conditions through plan checks, building permits, site surveys, and observations. He recommended that the Commission provide conceptual approval for

the proposed new backflow Ordinance and accompanying program Regulations and Requirements, noting that the language was reviewed by the City Attorney's Office.

Commissioner Marshall expressed concern that the proposal would grant the City broad power to update the Ordinance without giving any public notice. He suggested adding that there would be notice given to City Council or Water Commission whenever any changes to the Ordinance were being made.

Senior Administrative Analyst Schaich offered to include notification in water bills advising customers that the Ordinance has been updated.

Deputy Public Works Director van der Linden pointed out that the City could only make changes that have been passed down by Los Angeles County or the State.

MOTION: Commissioner Nishinaga moved that the Water Commission conceptually approve the proposed new Cross-Connection--Backflow Ordinance and accompanying program Regulations and Requirements as presented, with the provision that public notification be provided to all customers whenever the Public Works Director amends the Ordinance. Commissioner Marshall seconded the motion; a voice vote reflected unanimous approval (absent Commissioner McCabe).

8B. REVIEW OF WATER REPLENISHMENT DISTRICT OF SOUTHERN CALIFORNIA'S (WRD) BUDGET AND RATE SETTING PROCESS

Senior Administrative Analyst Schaich provided background on WRD's Replenishment Assessment (RA) charge for each acre-foot of groundwater extracted from the West Coast and Central Basins. He reported that, since WRD's inception in 1959, the RA has been established as a uniform rate for both basins. He stated that several agencies in Central Basin filed a legal challenge to WRD's rate setting process and that, as a result of a Superior Court decision, WRD is in the process of conducting a Proposition 218 public hearing on its proposed adjustment to the RA for 2013-14. He noted that WRD's Cost of Service Report concludes that the current uniform RA is fully justified and that the estimated RA is expected to increase from \$244 per acre-foot to a maximum of \$298 per acre-foot. The public hearing is scheduled to conclude on May 21.

In response to Commissioner Nishinaga's inquiries, he described how recharge of the basins comes from captured storm water, recycled water, and MWD makeup water. He discussed the fresh water barrier that prevents seawater intrusion and provides a major source of replenishment. He stated that 90% of the agencies support uniform assessment and explained the study that led to a few cities challenging it. He offered to bring back a more detailed item regarding the Cost of Service Report at a future Commission meeting.

MWD Director Wright explained that MWD rates are increasing because they are trying to "drought proof" Southern California with development of Diamond Valley Lake and inland feeder.

Deputy Public Works Director van der Linden stated that there would be a \$54 difference if the RA is increased to \$298 per acre-foot and, if all adjudicated rights are pumped, there would be a \$304,000 increase in expenditure to pump water. He pointed out that they use only half of their adjudicated rights and that the increased RA would not be a pass-through to customers.

9. METROPOLITAN WATER DISTRICT DIRECTOR'S REPORT

MWD Director Wright distributed copies of his April 15 letter to Mayor and Council Members regarding MWD activities and MWD Water Supply Conditions as of April 8. He reported that dry weather continues to be a concern in both Northern California and Upper Colorado River Basin, pointing out that Los Angeles has had 5 inches of precipitation as compared to its usual 14 inches. He stated that the State Water Project allocation has been cut to 35%. Referring to the Colorado River supply, he stated that the basin is very dry and runoff forecasts this year are as low as 38%; however, last week a large snowstorm has brought the snowpack level up to 80% of normal. He noted that Lake Mead is expected to drop to its lowest level ever in the next couple of years. He announced that the MWD board approved item 9-1 that would provide \$250 per acre-foot for new innovative ideas for developing new water supplies. He informed Commissioners that the Colorado River Aqueduct Inspection trip on April 26-27 is sold out.

10. WEST BASIN WATER ASSOCIATION REPORT

Deputy Public Works Director van der Linden reported that at the April 2 West Basin Water Association meeting the Watermaster reported that pumping from the West Coast Basin in February 2013 decreased 34% compared to February 2012, the decrease due to late submittals not included in the report. He noted that the cumulative total for this water year is 27,800 acre-feet, a 10% decrease in total groundwater production as compared to the same time period last year, and that their staff is developing its operating budget for the upcoming fiscal year.

He reported that West Basin Municipal Board is trying to establish mutual monthly meetings with the Board of Central Basin Municipal Water District and that MWD is continuing discussions regarding the Bay Delta Conservation Plan and State Water Bond issue. He stated that WRD released its Cost of Service Report and has mailed out Proposition 218 notifications for upcoming rate increase to the RA. He encouraged Commissioners to attend the next monthly/quarterly West Basin Water Association meeting on May 7 in Carson.

Responding to Commissioner Nishinaga's inquiry, Deputy Director van der Linden stated that California Water Service has approximately 25% higher rates than TMW.

In response to Commissioner Marshall's inquiry, staff stated that we are in the midst of a drought, a drought cycle is four years, and that there is sufficient water supply storage for this year.

11. MONTHLY DEPARTMENT REPORT

Deputy Public Works Director van der Linden noted that the Monthly Department Report for March 2013 was included in agenda packets. He reported that total water production for March was approximately 1% lower compared to the same period last year. He stated that there were five water main breaks and, on a cumulative basis, 17 breaks have occurred in 2013 compared to 11 in 2012. He stated that the Parks and Recreation Commission and City Council have approved the drilling of two new pilot wells at La Carretera Park and behind Hamilton School.

MOTION: Commissioner Nishinaga moved to accept and file the Monthly Department Report for March 2013. Commissioner McGee seconded the motion; a voice vote reflected unanimous approval (absent Chairperson McCabe).

12. ORALS

12A. Senior Supervisor Berndt reported that water meter conversion to radio read meters should be completed by January 2014.

12B. Senior Administrative Analyst Schaich distributed an April 19 Southern California Water Committee article regarding the Bay Delta Conservation Plan as well as fliers regarding a Water Conservation Plant Sale at Home Depot on May 4.

12C. Chairperson Lefevre announced that he has been appointed to the Exxon Mobil Community Advisory committee and hopes that the Commission will have an opportunity to tour the facility.

12D. Chairperson Lefevre reported that Saudi Arabia has announced plans to build the largest desalination plant in the world.

13. ADJOURNMENT

MOTION: At 8:55 p.m., Commissioner See moved to adjourn the meeting to Wednesday, May 22, 2013 at 7:00 p.m. in the West Annex Commission meeting room. Commissioner McGee seconded the motion and, hearing no objection, Chairperson Lefevre so ordered.

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Approved as Submitted July 24, 2013 s/ Sue Herbers, City Clerk
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